

PHILLIP A. TALBERT
United States Attorney
DAVID E. THIESS
STEVEN S. TENNYSON
Assistant United States Attorneys
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America,

Plaintiff,

v.

MATTHEW H. PETERS, BAYVIEW SPECIALTY
SERVICES LLC, COASTLINE SPECIALTY
SERVICES LLC, STRAND VIEW CORPORATION,
INNOVATIVE SPECIALTY SERVICES LLC,
PARAGON PARTNERS LLC (D/B/A PARAGON
MEDICAL PARTNERS), CARDEA CONSULTING
LLC, PRAXIS MARKETING SERVICES LLC,
PROFESSIONAL RX PHARMACY LLC, INLAND
MEDICAL CONSULTANTS LLC (D/B/A
ADVANCED THERAPEUTICS), PORTLAND
PROFESSIONAL PHARMACY LLC, SUNRISE
PHARMACY LLC, PROFESSIONAL 205
PHARMACY LLC (D/B/A PROFESSIONAL
CENTER 205 PHARMACY), SYNERGY MEDICAL
SYSTEMS LLC (D/B/A SYNERGY RX), SYNERGY
RX LLC (D/B/A SYNERGY RX), PRESTIGE
PROFESSIONAL PHARMACY, JMSP LLC (D/B/A
PROFESSIONAL CENTER 205 PHARMACY),
MPKM, LLC (D/B/A PROFESSIONAL CENTER
PHARMACY), ONE WAY DRUG LLC (D/B/A
PARTELL PHARMACY), PARTELL PHARMACY
LLC, OPTIMUM CARE PHARMACY INC. (D/B/A
MARBELLA PHARMACY), GLENDALE
PHARMACY LLC, and LAKE FOREST PHARMACY
(D/B/A LAKEFOREST PHARMACY),

Defendants.

Case No. 2:24-cv-00287-CKD

PLAINTIFF'S REQUEST FOR
ENTRY OF DEFAULT AGAINST
DEFENDANT MATTHEW H.
PETERS

1 To the Clerk of the Above-Entitled Court:

2 Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, Plaintiff the United States
3 of America requests that the Clerk of the Court enter Default in this matter against Defendant
4 Matthew H. Peters for failure to appear or otherwise respond to the government's Complaint
5 within the time prescribed by Rule 12(a)(1)(A)(i) of the Federal Rules of Civil Procedure.

6 On January 22, 2024, the United States filed its Complaint (ECF No. 1). The United
7 States filed a First Amended Complaint pursuant to Rule 15(a) of the Federal Rules of Civil
8 Procedure on March 18, 2024 (ECF No. 5). Pursuant to Rule 4 of the Federal Rules of Civil
9 Procedure, the United States served Mr. Peters with the Summons (ECF No. 2) and First
10 Amended Complaint (ECF No. 5) on March 30, 2024. (*See* Return of Service, ECF No. 11 at
11 21).

12 Pursuant to Rule 12(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Defendant Peters
13 had until April 20 (21 days after being served with the summons and complaint) to answer or
14 otherwise respond to the Complaint. On April 19, 2024, Defendant Peters filed a Stipulation to
15 Extend Time to Respond to the Complaint with the consent of the United States (ECF No. 8).
16 Under that stipulation, Defendant Peters had until May 2, 2024 to respond to the Amended
17 Complaint. (*See id.*)

18 As of the date of this Request, May 6, 2024, the United States has not received a response
19 from Defendant Peters, nor is there record of an answer or other response to the Complaint
20 entered on the Court's electronic docket. Filed contemporaneously with this Request is an
21 affidavit of counsel, attesting the same.

22 Rule 55(a) of the Federal Rules of Civil Procedure provides that "[w]hen a party against
23 whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that
24 failure is shown by affidavit or otherwise, the clerk must enter the party's default." Accordingly,
25 the government requests that the Clerk of the Court enter default against Defendant Peters for his
26 failure to answer, plead, or otherwise defend.
27

1 Dated: May 6, 2024

PHILIP A. TALBERT
United States Attorney

3 By: /s/ Steven Tennyson

DAVID E. THIESS
STEVEN S. TENNYSON
Assistant United States Attorneys

Attorneys for the United States